

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KINDRA E. S.,

Plaintiff,

v.

Case No. 2:23-cv-3622

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Chelsey M. Vascura

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

Plaintiff brings this action under 42 U.S.C. § 405(g) for review of a final decision of the Commissioner of Social Security (“Commissioner”) denying her application for Social Security disability insurance benefits and supplemental security income. The matter is before the Court on Plaintiff’s Statement of Errors (ECF No. 12), the Commissioner’s Memorandum in Opposition (ECF No. 14), Plaintiff’s Reply (ECF No. 15), and the administrative record (ECF No. 7) as supplemented (ECF No. 17-2). On July 16, 2024, the Magistrate Judge issued a Report and Recommendation, recommending that the Court overrule Plaintiff’s Statement of Errors and affirm the Commissioner’s denial of benefits. (ECF No. 18.) Plaintiff timely filed her Objection to the Magistrate Judge’s Report and Recommendation. (ECF No. 19.) The Commissioner responded. (ECF No. 20.)

If a party objects within the allotted time to a report and recommendation, the Court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72(b). Upon review, the Court “may accept, reject, or modify, in whole or in part, the findings or

recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). The Court’s review “is limited to determining whether the Commissioner’s decision ‘is supported by substantial evidence and was made pursuant to proper legal standards.’” *Ealy v. Comm’r of Soc. Sec.*, 594 F.3d 504, 512 (6th Cir. 2010) (quoting *Rogers v. Comm’r of Soc. Sec.*, 486 F.3d 234, 241 (6th Cir. 2007)); *see also* 42 U.S.C. § 405(g) (“The findings of the Commissioner of Social Security as to any fact, if supported by substantial evidence, shall be conclusive . . .”).

The Court has carefully reviewed the record and concludes that the decision of the Commissioner is supported by substantial evidence and was made pursuant to proper legal standards. The issues raised in Plaintiff’s Objection were considered and correctly addressed by the Magistrate Judge.

Accordingly, the Court **OVERRULES** Plaintiff’s Objection (ECF No. 19), **ADOPTS** the Magistrate Judge’s Report and Recommendation (ECF No. 18), and **AFFIRMS** the Commissioner’s decision. The Clerk is **DIRECTED** to terminate this case from the docket.

IT IS SO ORDERED.

12/3/2024
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE